

The Intercept Media, Inc. v. OpenAI, Inc., et. al.

Case No. 1:24-cv-01515-JSR

Exhibit 3

to Plaintiff's First Amended Complaint

This exhibit reports the result of the application of the Dragnet text extraction method to three URLs from theintercept.com that are listed in the OpenWebText training set described in Plaintiff's First Amended Complaint. A data scientist employed by Plaintiff's counsel followed the text extraction steps described by OpenAI in the paper Alec Radford et al., Language Models are Unsupervised Multitask Learners, 3 https://cdn.openai.com/better-language-models/language_models_are_unsupervised_multitask_learners.pdf. First, the data scientist downloaded the content of the URLs in ".html" form. He confirmed that each article, as downloaded, contained author, title, copyright notice, and terms of use information. Second, he applied the Dragnet code to the downloaded article. The results are reproduced below. Each sample begins with the URL of the webpage followed by the entire content of the copy after the application of the Dragnet code.

Sample 1: <https://theintercept.com/2016/09/01/how-obamas-asia-pivot-nudged-china-towards-pakistan-but-helped-aggravate-india/>

After many disastrous years spent trying to shape the Middle East, the Obama administration has refocused its foreign policy toward defending U.S. interests in economically wealthy East Asia. President Obama's "pivot to Asia" is widely perceived as an attempt by the United States to contain China's growing economic and political clout in that region. But the resulting increase in U.S. pressure on China's eastern periphery has had an interesting side-effect — it has led China to look elsewhere on the continent for opportunities to trade, invest, and build diplomatic influence. A major target of this redirected effort has been China's neighbor to its west, Pakistan. A series of joint Chinese-Pakistani infrastructure projects are now underway, branded collectively as the China-Pakistan Economic Corridor (CPEC). These investments are intended to build Pakistan's economic capacity and increase its links to western China, while giving China access to port facilities on the Indian Ocean. Although the project could have significant long-term economic benefits to the region, it has engendered tensions with India, which has had contentious relations with both China and Pakistan in the past. How China navigates this effort to expand its influence with Pakistan, and how other powerful countries respond, could determine whether South and Central Asia embark on a new era of shared prosperity or remain trapped in a cycle of conflict. Pakistani President Mamnoon Hussain, left, meets with Chinese Premier Li Keqiang, right, in Beijing, China, on Feb. 20, 2014, while visiting to bolster bilateral ties including agreements on economy and trade. Photo: Adrian Bradshaw/AFP/Getty Images During a state visit to Pakistan in 2015, Chinese President Xi Jinping signed a series of high-profile agreements for Chinese companies to construct roughly \$46 billion worth of highways, ports, and energy infrastructure in Pakistan. The projects are related to a larger Chinese effort to expand its economic and political influence in Asia, known as the Silk Road Economic Initiative. The massive investment in Pakistan is also seen as providing an economic anchor to the longstanding military and political relationship between the two countries. Speaking to the Pakistani parliament during that visit, Xi highlighted a history of traumatic events that brought the two countries together over the latter half of the 20th century. "Both China and Pakistan suffered from imperialist and colonialist aggression and oppression and we extended mutual sympathy and support to each other," he said. "We will never forget that Pakistan was one of the first countries to recognize New China and the first Islamic country to enter into diplomatic relations with China." He noted that in its early years, Pakistan helped the nascent People's Republic of China circumvent a blockade by foreign powers and claim a seat at the United Nations. Pakistani politicians have promised that the billions of dollars in Chinese infrastructure projects will be a "game changer" for Pakistan's economy after years of instability. But the huge political capital invested in the projects has also bred fears that the projects will be undermined by Pakistan's strategic rivals. The Pakistani military — whose leaders are often unhealthily fixated on India even during calm times — have repeatedly claimed that Indian intelligence agents and their proxies are fomenting attacks aimed at sabotaging CPEC projects. While views among Indian politicians vary, hawkish figures in the ruling party do tend to view CPEC with trepidation. On India's Independence Day this August, Prime Minister Narendra Modi gave a speech that seemingly offered support to separatist insurgents in regions of Pakistan where major CPEC projects are located. "Today from the ramparts of Red Fort, I want to greet and express my thanks to some people," Modi said. "In the last few days, people of Balochistan, Gilgit, Pakistan Occupied Kashmir have thanked me, have expressed gratitude, and expressed good wishes for

me.” Modi’s speech was widely viewed in Pakistan as a threat to undermine CPEC. It was also viewed with alarm in China, where the CPEC investments are seen as both an economic opportunity and a means of stabilizing Pakistan, a neighbor that has teetered uncomfortably close to the brink of chaos over the past decade. Terrorist attacks in Pakistan have dropped over the past two years following the launch of a major military campaign in the tribal regions, but the country remains beset by a number of serious challenges to its long-term stability and prosperity. China’s investment is viewed as a means of shoring up Pakistan’s economy, creating a new market for its own excess production, and reducing Chinese dependence on other trade routes in Southeast Asia, particularly the Strait of Malacca . “There is a mindset on China’s part that there is a need to stabilize their western periphery, and that the best means to do so are economic,” says Andrew Small, senior Asia fellow at the German Marshall Fund, a trans-Atlantic think tank. “Chinese state industries have a lot of excess capacity that they are seeking to export. Meanwhile, in Pakistan, the current government was elected on promises to kickstart the economy with grand infrastructure plans and energy projects, so there is a neat convergence of interests.” Small is the author of *The China-Pakistan Axis* , a 2015 book analyzing the strategic relationship between the two countries that has developed over the past several decades. Historically, this relationship has been anchored in military and political cooperation at the elite level. Pakistani diplomats famously helped engineer China’s rapprochement with the United States during the Nixon era, while China has long been a source of military hardware and intelligence cooperation for the Pakistani armed forces. But now China is beginning to view Pakistan as a place to showcase its ability to project soft power as well. Despite its mammoth population as well as its economic and military size, from a political standpoint China remains relatively isolated in its region. Relations with Japan, India, and the ASEAN countries are often contentious, while Chinese patronage of North Korea is generally seen as more of a burden than an alliance. As Small writes, China’s warm relationship with Pakistan is thus seen by Chinese leaders as an outlier, offering a foreign policy relationship that has been “tested out over decades, commands deep support from across the political spectrum and institutions of state, and has a base of public support.” That relationship didn’t mean much to the rest of the world when China was preoccupied with its own instability. But now that the country has emerged as a major economic and political power, its foreign policy preferences matter a lot more. “China is looking to develop power-projection capabilities in the Middle East, East Africa, and Indian Ocean, to allow it to conduct operations like the 2011 evacuation of its workers in Libya,” Small says. “China needs facilities that Pakistan provides, but there is also a desire to demonstrate that Chinese diplomatic relationships have strong benefits to prospective allies, both politically and economically.” Pakistani workers arrange a welcoming billboard featuring pictures of visiting Chinese President Xi Jinping, center, his Pakistani counterpart, Mamnoon Hussain, left, and Prime Minister Nawaz Sharif, right, in Islamabad, Pakistan, on April 18, 2015. Photo: Farooq Naeem/AFP/Getty Images The CPEC project is thus envisioned as a kind of Marshall Plan for Pakistan’s economy. It is estimated that power shortages drain as much as 2 percent of Pakistan’s GDP annually, while a lack of infrastructure prevents local industries from developing to their full capacity. CPEC would address these shortcomings with energy projects, highways, and the development of a major port facility in the Indian Ocean town of Gwadar. For China, CPEC is also an answer to American efforts to box out its economic influence in East Asia. Earlier this year, Obama signed the Trans-Pacific Partnership, a trade agreement intended to solidify the United States as the key economic player in East Asia. Naval tensions have also increased in the South China Sea, where U.S. allies are engaged in a series of long-running

territorial disputes with China. But despite seeking to contain Chinese influence in East Asia, the United States has taken a generally benign view of the CPEC project. Some in the U.S. see the project as a means of helping stabilize Pakistan, a nuclear-armed country that spent the past decade wracked by a domestic insurgency. With an overwhelmingly young population of nearly 200 million people, Pakistan is the sixth biggest country in the world by population . Generating stability in Pakistan through economic growth could be a win-win for an American administration whose own relationship with Pakistan has soured — and that is otherwise wary of seeing its allies courted by a regional rival like China. Views differ in India, however. Modi’s hostility toward the China-Pakistan Economic Corridor represents a school of thinking in Indian foreign policy circles that sees an economically revitalized Pakistan connected to China as a potential threat . Sensitive about foreign interference in India’s own restive province of Kashmir, India’s suspicious view of the project seems to reflect historic fears of strategic coordination by hostile neighbors. But analysts say there is little to indicate that CPEC is rooted in such a strategy. “The China-Pakistan Economic Corridor is basically an economic project, despite some in Delhi and Washington viewing it through a strategic lens,” says Arif Rafiq, a non-resident fellow at the Middle East Institute and specialist on Pakistan. “The primary goal is addressing Pakistan’s energy crisis, with a view towards lifting the economy and reducing both Chinese and Pakistani dependence on existing ports and maritime trade routes.” Instead of starting a new era of conflict, the economic integration of the region could actually help close the chapter on its troubled post-colonial history. If it succeeds in modernizing Pakistan’s infrastructure and boosting its economic output, CPEC could transform Pakistan from a threat to India into a robust trading partner. “These countries are home to some of the world’s youngest populations and have the potential to be among the biggest zones of economic growth in the coming decades,” Rafiq says. “If they want to move forward and develop stable relations, they need to increase economic connectivity, similar to what France and Germany managed to accomplish after years of conflict.” Top photo: Pakistani residents walk past welcome banners ahead of a visit by Chinese President Xi Jinping in Islamabad on April 18, 2015.

Sample 2: <https://theintercept.com/2016/09/04/donald-trump-once-wanted-third-parties-in-presidential-debate-but-not-now/>

The three presidential debates and sole vice presidential debate will likely exclude third parties, and GOP nominee Donald Trump is just fine with that. “I’d rather have head to head and right now they’re not getting any numbers,” Trump told The Washington Post in August, saying he wanted to debate Democrat Hillary Clinton and exclude the Green Party’s Jill Stein and Libertarian Gary Johnson. But when Trump himself was slated to be excluded from the debate stage, he had a different opinion. In January of 2000, the Reform Party held a press conference that, among other things, discussed the exclusion of third-party candidates from the presidential debates. Then-Minnesota Gov. Jesse Ventura, one of the party’s few endorsed candidates to hold a major office, denounced the exclusion as “despicable.” Ventura was joined by Trump, who was at the time was considering running for president on the Reform Party ticket. “I agree 100 percent with Jesse. It’s disgraceful. It’s amazing that they can get away with it,” Trump said during that press conference in 2000. Trump criticized the threshold — which still exists today — of allowing other candidates into the debate only if they consistently poll at or above 15 percent in national polls. “I just think it’s unfair ... to have such a high standard, a high criteria. For a party that’s a legitimate party, that has a substantial amount of federal funding, that’s recognized,” he said. “Very unfair.” Watch the relevant section of the press conference: Trump and Ventura did not suggest an alternative threshold for third party candidates to be allowed into the debate, but some reformers have suggested an alternative rule. They have called for debate access for candidates who achieve enough ballot access to theoretically win and who can achieve either 5 percent in national polls or who polls show Americans want in the debates. Clinton has yet to speak on the issue of third-party exclusion. Top photo: Trump and Ventura at their Reform Party press conference in January 2000.

Sample 3: <https://theintercept.com/2016/09/05/happy-labor-day-there-has-never-been-a-middle-class-without-strong-unions/>

The entire Republican Party and the ruling heights of the Democratic Party loathe unions. Yet they also claim they want to build a strong U.S. middle class. This makes no sense. Wanting to build a middle class while hating unions is like wanting to build a house while hating hammers. Sure, maybe hammers — like every tool humans have ever invented — aren't 100 percent perfect. Maybe when you use a hammer you sometimes hit your thumb. But if you hate hammers and spend most of your time trying to destroy them, you're never, ever going to build a house. Likewise, no country on earth has ever created a strong middle class without strong unions. If you genuinely want the U.S. to have a strong middle class again, that means you want lots of people in lots of unions. The bad news, of course, is that the U.S. is going in exactly the opposite direction. Union membership has collapsed in the past 40 years, falling from 24 percent to 11 percent. And even those numbers conceal the uglier reality that union membership is now 35 percent in the public sector but just 6.7 percent in the private sector. That private sector percentage is now lower than it's been in over 100 years. Not coincidentally, wealth inequality — which fell tremendously during the decades after World War II when the U.S. was most heavily unionized — has soared back to the levels seen 100 years ago. The reason for this is straightforward. During the decades after World War II, wages went up hand in hand with productivity. Since the mid-1970s, as union membership has declined, that's largely stopped happening. Instead, most of the increased wealth from productivity gains has been seized by the people at the top. Even conservative calculations show that if wages had gone up in step with productivity, families with the median household income of around \$52,000 per year would now be making about 25 percent more, or \$65,000. Alternately, if we could take the increased productivity in time off, regular families could keep making \$52,000 per year but only work four-fifths as much — e.g., people working 40 hours a week could work just 32 hours for the same pay. So more and better unions would almost certainly translate directly into higher pay and better benefits for everyone, including people not in unions. However, the effects of unions in building a middle class go far beyond that, in a myriad of ways. For instance, the degree to which a country has created high-quality, universal health care is generally correlated with the strength of organized labor in that country. Canada's single payer system was born in one province, Saskatchewan, and survived to spread to the rest of the country thanks to Saskatchewan's unions. Now Canadians live longer than Americans even as their health care system is far cheaper than ours. U.S. unions were also key allies for other social movements, such as the civil rights movement in the 1950s and 1960s. Today, people generally say Martin Luther King, Jr. delivered the "I Have a Dream" speech at the March on Washington — but in fact it was the March on Washington for Jobs and Freedom, and it was largely organized by A. Philip Randolph of the Brotherhood of Sleeping Car Porters. Among the other speakers was Walter Reuther, president of the United Auto Workers. And unions have many other positive effects, including ones so subtle they never show up in history books. Here's one I personally know of: Dean Baker, co-director of a Washington, D.C. think tank called the Center for Economic and Policy Research, or CEPR, is arguably the only economist in the U.S. who both recognized the danger of the gigantic U.S. housing bubble in the mid-2000s and warned about it loudly. But Baker didn't appear out of nowhere. His first job in Washington was at the Economic Policy Institute, which was founded in 1986 with a five-year funding pledge from eight unions. His foothold there made it possible for him to eventually co-found CEPR and make his case on the

housing bubble. (I know this about Baker because I briefly worked for CEPR long ago.) So the wise use of union resources played a key role in the eventual creation of some extremely important knowledge. Baker alone wasn't able to get the political system to respond before Wall Street shot the U.S. economy in the stomach – but it's certainly possible to imagine a different history, in which stronger unions created perches for additional economists who cared about reality, and they worked with stronger unions to organize to stave off our ongoing catastrophe. In other words, if the U.S. had a stronger labor movement, the whole country could be perhaps \$10 trillion richer. So enjoy the day off. But if you'd like to see an American middle class again at some point before you die, spend some time thinking about how to get more hammers into everybody's hands. CHICAGO, IL — Whole Foods Market employees and union activists protest outside a Whole Foods Market store on July 31, 2013 in Chicago, Illinois.